

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

BRENDA L. R.,

Plaintiff,

v.

Civil Action No. 3:21cv144

KILOLO KIJAKAZI,

Acting Commissioner of Social Security,

Defendant.

FINAL MEMORANDUM ORDER

This matter comes before the Court on Plaintiff’s objection, (ECF No. 33), to the Magistrate Judge’s Report and Recommendation (“R&R”), (ECF No. 32). In her objection, Plaintiff argues that the ALJ, “and by extension the Magistrate Judge[],” erred in evaluating the opinion of LSMW James, Plaintiff’s counselor. (ECF No. 33, at 1–2; *see also* ECF No. 33, at 1 (“[T]he Magistrate Judge’s findings simply reinforced the errors made by the ALJ in analyzing Plaintiff’s daily activities.”); ECF No. 33, at 3 (“The ALJ failed to [properly consider that opinion] here, thereby precluding meaningful review, and the Magistrate Judge’s findings only served to reinforce those errors.”).)

“The purpose of magistrate review is to conserve judicial resources.” *Nichols v. Colvin*, 100 F. Supp. 3d 487, 497 (E.D. Va. 2015) (citing *United States v. Midgette*, 478 F.3d 616, 622 (4th Cir. 2007)). To “preserve the district court’s role as the primary supervisor of magistrate judges,” a party “may raise objections with the magistrate judge’s report.” *Id.* (citing *Midgette*, 478 F.3d at 621). “[T]he objection requirement is designed to allow the district court to ‘focus on specific issues, not the report as a whole.’” *Id.* (quoting *Midgette*, 478 F.3d at 621).

Accordingly, “objections must be specific and particularized.” *Id.* “A general objection to the

entirety of the magistrate judge's report is tantamount to a failure to object." *Id.* (quoting *Tyler v. Wates*, 84 F. App'x 289, 290 (4th Cir. 2003)). "Likewise, a mere restatement of the arguments raised in the summary judgment filings does not constitute an 'objection' for the purpose of district court review." *Id.* (quoting *Abou-Hussein v. Mabus*, No. 2:09-1988, 2010 WL 4340935, at *1 (D.S.C. Oct. 28, 2010), *aff'd*, 414 F. App'x 518 (4th Cir. 2011)). Instead, "objections must respond to a specific error in the" R&R. *Overstreet v. Berryhill*, No. 7:16cv585, 2018 WL 1370865, at *1 (W.D. Va. Mar. 16, 2018).

Plaintiff's objections present nothing more than a "rehashing of the arguments" that she raised in her motion for summary judgment. *Nichols*; 100 F. Supp. 3d at 497; (see ECF No. 28, at 7–15.) Thus, the Court finds *de novo* review of the Magistrate Judge's R&R unnecessary and reviews the R&R for clear error only. See *Lee v. Saul*, No. 2:18cv214, 2019 WL 3557876, at *1 (E.D. Va. Aug. 5, 2019). Having reviewed the record, and finding no clear error, the Court ORDERS that:

- (1) Plaintiff's Objections to the R&R, (ECF No. 33), are OVERRULED;
- (2) The R&R, (ECF No. 32), is ADOPTED on the basis of the reasoning in the R&R;
- (3) Plaintiff's Motion for Summary Judgment, (ECF No. 27), is DENIED;
- (4) The Commissioner's Motion for Summary Judgment, (ECF No. 30), is GRANTED; and,
- (5) The Commissioner's decision is AFFIRMED.

It is SO ORDERED.

Date: 8-17-2022
Richmond, Virginia

/s/
M. Hannah Lauck
United States District Judge